

PRODUCT: 11 unlabeled tubes of *potassium soap* at Monroe, La. Analysis showed that the product consisted of a viscous solution of a potassium soap containing potassium iodide and crystal violet.

NATURE OF CHARGE: Misbranding, Section 502 (b) (1), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 502 (b) (2), it failed to bear a label containing an accurate statement of the quantity of the contents; Section 502 (e) (2), it was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient; and, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use.

DISPOSITION: October 7, 1948. Default decree of condemnation and destruction.

2458. Misbranding of eucalyptus oil liniment and inhalers. U. S. v. 124 Bottles, etc. (F. D. C. No. 24873. Sample No. 19602-K.)

LABEL FILED: June 8, 1948, Southern District of Ohio.

ALLEGED SHIPMENT: On or about May 5 and 12, 1948, by E. N. Golden, from Detroit, Mich.

PRODUCT: 124 bottles of *eucalyptus oil liniment* and 288 *inhalers* at Cincinnati, Ohio, together with 200 circulars entitled "Gold-N-Ray Eucalyptus Compound." Sales of the product were made on the basis of lectures given at the store of the consignee by Mrs. Edward N. Golden, also known as Dorothy D. Dickstein on behalf of Edward N. Golden, the distributor. The charge of misbranding under Section 502 (f) (1) reported herein is based on her oral representations.

Examination showed that the *eucalyptus oil liniment* consisted of volatile oils, including eucalyptus and peppermint oils, approximately 28 percent, and nonsaponifiable oil such as petroleum oil, approximately 72 percent; and that the inhaler consisted of a glass tube open at both ends, containing a wad of cotton surrounded by paper and held in place by perforated corks.

LABEL, IN PART: (Bottle) "Gold-N-Ray Eucalyptus Oil Liniment Buy from your druggist or direct from The Golden Boy Dist. Co., * * * Brooklyn, New York"; (inhaler) "Gold-N-Ray Inhaler Gold-N-Boy Dist. Co."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars were false and misleading. These statements represented and suggested that the *Gold-N-Ray Eucalyptus Compound* was a refined and improved distillate from eucalyptus leaves; that it possessed the power of producing or maintaining health and energy; that it exhibits miraculous properties; that in vapor form it would cleanse and disinfect the air, banish malaria, yellow fever, and epidemic fever; that it would play an important part in keeping one well and in keeping the body sound, sturdy, and safe against infection and many common ailments; that it was a powerful antiseptic; that it was efficacious in asthma and catarrhal conditions; and that it would supply the need for stimulation and disinfection. The article was not a refined and improved distillate from eucalyptus leaves but consisted largely of a nonsaponifiable oil, such as petroleum oil, with a relatively small proportion of volatile oils including eucalyptus oil; and it would not fulfill the promises of benefit stated and implied.

Further misbranding, Section 502(a), the bottle label statement "Eucalyptus Oil Liniment" was false and misleading, since the article did not consist of eucalyptus oil; and, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use in the treatment of hay fever, sinus affections, colds, sore throat, asthma, neuritis, arthritis, and rheumatism, which were the diseases, symptoms, and conditions for which the article was offered in its advertising, disseminated and sponsored by or on behalf of the manufacturer, packer, and distributor.

DISPOSITION: September 3, 1948. Default decree of condemnation and destruction.

2459. Misbranding of Williams Yukol and Williams Yukol Inhaler. U. S. v. 107 Bottles, etc. (F. D. C. No. 24695. Sample Nos. 10215-K, 10216-K.)

LABEL FILED: March 31, 1948, District of New Jersey.

ALLEGED SHIPMENT: On or about February 24, 1948, by the Newman Products Co., from New York, N. Y.

PRODUCT: 107 4-ounce bottles and 71 8-ounce bottles of *Williams Yukol* and 150 *Williams Yukol Inhalers* at Plainfield, N. J., together with a number of circulars entitled "Yukol Daily Relief" and a number of instruction sheets entitled "Yukol—A counter irritant." Examination showed that the *Williams Yukol* consisted of a kerosene solution of volatile oils, including eucalyptus oil, peppermint oil, thymol, and methyl salicylate, and that it contained no petrolatum. The *Williams Yukol Inhaler* consisted of an open glass tube, constricted on one end. Each end was closed with a cork stopper having a hole bored in the center. Between the two corks was a small wad of cotton.

NATURE OF CHARGE: Misbranding, Section 502 (a), the statement on the label of the *Williams Yukol* "containing eucalyptus oil, thymol, menthol, oil of camphor, oil of peppermint, petrolatum" was false and misleading, since the *Yukol* contained among other ingredients, methyl salicylate and kerosene, and no petrolatum; and the following statements in the labeling of the *Yukol* were false and misleading, since a mixture of *Yukol*, honey, and lemon juice is not effective in the treatment of coughs, and the *Yukol* was not effective as a liniment for the relief of the symptoms and muscular aches and pains associated with, and caused by, rheumatism, arthritis, lumbago, sciatica, and neuritis: (Circular) "Cough Syrup $\frac{1}{2}$ teaspoonful *Yukol*, 8 oz. honey, juice of 1 lemon. Heat honey, mix well with *Yukol* and lemon"; (instruction sheet) "*Yukol*—As a Liniment For the relief of the symptoms and the muscular pains and aches associated with and caused by rheumatism, arthritis, lumbago, sciatica and neuritis."

Further misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use in the treatment of chest colds, bronchitis, mastoids, mastoiditis, cramped or stiffened condition of the joints, sore throat, sinus condition, and rheumatic ailments, which were the diseases and conditions for which the articles were offered in advertising disseminated and sponsored by the distributor of the articles, Fausto R. Yznaga.

DISPOSITION: May 11, 1948. Default decree of condemnation and destruction.

2460. Action to enjoin and restrain the interstate shipment of a device referred to as "The Master Cell," "Solar Crystal Matrix Battery," and "Master Cell Matrix." U. S. v. John C. Brown, Gustave Goerner, Merrill Sampson, Kenneth J. Gleason, and J. H. Gildard (The Goernersome Brownii Foundation Cell Laboratories). Consent decree granting injunction. (Inj. No. 202.)

COMPLAINT FILED: September 27, 1948, District of Massachusetts, against John C. Brown, Gustave Goerner, Merrill Sampson, Kenneth J. Gleason, and J. H. Gildard, as individuals and as associates under the name of The Goernersome Brownii Foundation Cell Laboratories, doing business at Middleboro, Mass.

NATURE OF CHARGE: That the defendants were introducing and delivering for introduction into interstate commerce a device consisting of a concrete disc made of sand, cement, and water containing the common protozoan paramaecium, and referred to as "The Master Cell," "Solar Crystal Matrix Battery," and "Master Cell Matrix." The device was misbranded within the meaning of Section 502 (f) (1), in that its labeling failed to bear adequate directions for use since the labeling bore no directions for use in all conditions for which the device was intended to be used and for which it was prescribed, recommended, or suggested in oral representations made by or on behalf of the defendants, namely, as a preventive and treatment of respiratory and intestinal diseases of poultry and a general treatment of diseases in man and lower animals.

PRAYER OF COMPLAINT: That the defendants be perpetually enjoined from commission of the acts complained of.

DISPOSITION: October 1, 1948. The defendants having consented to the entry of a decree, the court issued an order enjoining them from directly or indirectly introducing or delivering for introduction into interstate commerce the device in question, which was misbranded within the meaning of Section 502 (f) (1).